

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WEI et al.

Art Unit: 1636

Serial No. 09/761,640

Examiner: Q. Nguyen

Filed: January 18, 2001

Atty. Docket: CL000964

For: ISOLATED HUMAN PHOSPHATASE
PROTEINS, NUCLEIC ACID MOLECULES
ENCODING HUMAN PHOSPHATASE
PROTEINS, AND USES THEREOF

#7B
Zita
3/31/03

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

By Facsimile

Sir:

This is in response to a telephone call from Examiner Nguyen on March 11, 2003 in which a restriction requirement was issued for the above referenced application.

By way of response, Applicants hereby elect claim group III, claims 4-5, 8-11 and 22-23, directed to nucleic acid molecules, vectors, host cells, etc., for examination and have canceled claims corresponding to the non-elected groups I, II, IV-IX.

In the Claims

Please cancel claims 1-3, 5-7, 10-23 as being directed to non-elected subject matter or being made redundant by way of the amendments below.

Please amend claims 4, 8 as follows:

4. (Amended) An isolated nucleic acid molecule encoding a phosphatase protein consisting of a nucleotide sequence selected from the group consisting of:

(a) a nucleotide sequence that encodes a protein comprising the amino acid sequence of SEQ ID NO:2;